

# HOUSE BILL REPORT

## HB 2558

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**As Passed House:**

February 13, 2008

**Title:** An act relating to exempting certain minor new construction associated with construction storm water general permits from the state environmental policy act.

**Brief Description:** Exempting certain minor new construction associated with construction storm water general permits from SEPA.

**Sponsors:** By Representatives Upthegrove, Clibborn, O'Brien, Kenney and Rolfes; by request of Department of Ecology.

**Brief History:**

**Committee Activity:**

Ecology & Parks: 1/18/08, 1/22/08 [DP].

**Floor Activity:**

Passed House: 2/13/08, 96-0.

**Brief Summary of Bill**

- Exempts certain construction storm water projects from the State Environmental Policy Act.

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### HOUSE COMMITTEE ON ECOLOGY & PARKS

**Majority Report:** Do pass. Signed by 9 members: Representatives Upthegrove, Chair; Rolfes, Vice Chair; Sump, Ranking Minority Member; Dickerson, Dunshee, Eickmeyer, Kristiansen, O'Brien and Pearson.

**Staff:** Jaclyn Ford (786-7339).

**Background:**

In 2005 the Department of Ecology (DOE) issued a new construction storm water general permit to meet the requirements of the Clean Water Act. The permit requires construction projects that disturb one or more acres of land to get a storm water permit from the DOE before the start of construction. Because of the permit requirement, local governments are

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required to do a State Environmental Policy Act (SEPA) review of the project. A SEPA review requires an environmental impact statement be written in order for the project to begin.

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**Summary of Bill:**

A new construction storm water project does not need to have a SEPA review if it disturbs less than five acres. The exemption does not occur if the project is being constructed in an environmentally sensitive area.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) The current law simply adds a regulatory burden without environmental benefits. This bill would correct the unintended consequences of additional workload for local governments. The requirement of a SEPA evaluation under current law adds time and cost without any additional benefits.

(Opposed) None.

**Persons Testifying:** Representative Upthegrove, prime sponsor; Tom Clingman, Department of Ecology; Harry Reinert, King County; and Andy Cook, Building Industry Association of Washington.

**Persons Signed In To Testify But Not Testifying:** None.